

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

Robert WIGGINS,

Plaintiff,

v.

CITY OF TRENTON, et al.,

Defendants.

Civ. No. 11-5366

MEMORANDUM ORDER

THOMPSON, U.S.D.J.

On June 5, 2014, this Court informed the parties that trial in this matter would begin on June 17, 2014 at 9:45 A.M. Plaintiff appeared in Court on June 17, 2014. A jury was sworn in and opening statements were delivered on that same day.

Plaintiff was informed that he was to start presenting his case on or about 10 A.M. the following morning, June 18, 2014. On the following day, Plaintiff did not appear in court at the designated time. The Court allowed Plaintiff additional time to arrive. Plaintiff's attorney represented to the Court that he contacted the local police and local hospitals in an attempt to locate Plaintiff. At roughly 11:30 that same morning, this Court informed Plaintiff's counsel that she would give him additional time to locate Plaintiff. The jury was sent home. At or around 4:30 P.M., Plaintiff's counsel informed the Court that he could not locate Plaintiff.

When Plaintiff did not appear the following morning, June 19, 2014, Defendants moved for a mistrial. Defendants' attorney also moved for a dismissal. Plaintiff's counsel did not object.

For the reasons set forth above and for good cause shown by Defendants in Court on June 19, 2014,

IT IS, on this 23rd day of June, 2014,

ORDERED that a MISTRIAL is declared, and it is further

ORDERED that this case is DISMISSED.


ANNE E. THOMPSON, U.S.D.J.